

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

JOHN DOE, *et al.*, )  
 )  
 )  
 Plaintiff, )  
 )  
 v. ) No. 1:12-cv-0062 TWP-MJD  
 )  
 )  
 CITY OF INDIANAPOLIS, INDIANA; )  
 )  
 )  
 Defendants. )

**NOTICE OF CHALLENGE TO CONSTITUTIONALITY OF A STATE  
STATUTE**

Plaintiff and the putative class in this case, by counsel, give notice pursuant to Rule 5.1(a) of the Federal Rules of Civil Procedure that the complaint in this case challenges the constitutionality of Indiana Code § 35-42-4-12 as violating the First Amendment to the United States Constitution.

WHEREOFRE, plaintiff gives this notice.

/s/ Kenneth J. Falk  
Kenneth J. Falk  
No. 6777-49  
ACLU of Indiana  
1031 E. Washington St.  
Indianapolis, IN 46202  
317/635-4059 ext. 104  
fax: 317/635-4105  
e-mail:kfalk@aclu-in.org

Attorney for Plaintiff

Certificate of Service

I hereby certify that on this 18<sup>th</sup> day of January, 2012, a copy of the foregoing was filed electronically with the Clerk of this Court. I was also mailed on this date to the following parties by first class U.S. postage, pre-paid.

City of Indianapolis, Indiana  
c/o Mayor, City of Indianapolis  
Room 2501  
City County Building  
200 E. Washington St.  
Indianapolis, IN 46204

Marion County Prosecutor  
251 E. Ohio Street  
Suite 160  
Indianapolis, IN 46204

Office of the Attorney General  
IGCS-5<sup>th</sup> Floor  
302 W. Washington St.  
Indianapolis, IN 46204  
(with a copy of the complaint)

/s/ Kenneth J. Falk  
Kenneth J. Falk  
Attorney at Law